



16085 U.S. PTO

Please type a plus sign (+) inside this box Attorney Docket P0957R1C1  
PATENT

EV 182674137 US: Express Mail Number

April 16, 2004: Date of Deposit

22387 U.S. PTO  
10/826797041604  

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Robert B. Fick  
Paula M. Jardieu  
Monika B. Schoenhoff  
Steven J. Shire

Title: **Methods for Treatment of Allergic Asthma**

**1. Type of Application**

- This application is for an original, non-provisional application.
- This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- This is a [ ] continuation-in-part [ X ] continuation of USSN 08/686,902 filed July 26, 1996, still pending, which claims priority to USSN 60/029,182 filed July 27, 1995.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)  
(Non-provisional )**

36 pages of specification  
5 pages of claims  
1 page(s) of abstract  
7 sheet(s) of drawings  
[X] formal  informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
 An executed declaration of the inventor(s)  is enclosed  will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
 A copy of the executed declaration/oath filed in the prior application is enclosed

(37 CFR 1.63(d)).

- (for Cont./Div. where inventor(s) being deleted)*
- A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

#### 4. Assignment

- (for new and CIP applications)*
- An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.
- (for cont./div.)*
- The prior application is assigned of record to Genentech, Inc.

#### 5. Amendments **(for continuation and divisional applications)**

- Cancel in this application original claims 21-39 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

#### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

<b>CLAIMS FOR FEE CALCULATION</b>					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	20	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$86.00	\$0.00
Multiple dependent claim(s), if any				+ \$290.00	\$0.00
<b>Filing Fee Calculation</b>					<b>\$770.00</b>

#### 7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. A duplicate copy of this transmittal is enclosed.

#### 8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this transmittal is enclosed.

**9. Additional Papers Enclosed**

- Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- A new Power of Attorney or authorization of agent.
- Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

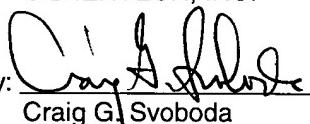
- X A petition, fee and/or response has been filed to extend the term in the pending prior application until April 21, 2004  
       A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**

- X Address all future communications to:

Genentech, Inc.  
1 DNA Way  
South San Francisco, CA 94080-4990  
Attn: Craig G. Svoboda  
Customer No: 09157

Respectfully submitted,  
GENENTECH, INC.

By:   
Craig G. Svoboda  
Reg. No. 39,044  
Telephone No. (650) 225-1489

Date: April 16, 2004

**CUSTOMER NO: 09157**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Fick et al.  Serial No.: not yet assigned  Filed: herewith  For: Methods for Treatment of Allergic Asthma	Group Art Unit: 1644  Examiner: Ronald B. Schwadron  Confirmation No: 5572  CUSTOMER NO: 09157  <b><u>EV 182674137 US : Express Mail Number</u></b> <b><u>April 16, 2004: Date of Deposit</u></b>
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**PETITION AND FEE FOR THREE MONTH EXTENSION OF TIME**  
**(37 CFR 1.136(a))**

Mail Stop PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated October 21, 2003 for three month(s) from January 21, 2004 to April 21, 2004. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$950.00 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

By:   
 Craig G. Svoboda  
 Reg. No. 39,044  
 Telephone No. (650) 225-1489

Date: April 16, 2004

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